

JAN 22 2004

**RatnerPrestia**

WE SPECIALIZE IN THE LAW OF CREATIVITY®

OFFICIAL

☒ Suite 301, One Westlakes, Berwyn
P.O. Box 980
Valley Forge, PA 19482-0980
Phone: 610-407-0700
Fax: 610-407-0701

☐ Nemours Building
1007 Orange Street, Suite 1100
P.O. Box 1596
Wilmington, DE 19899
Phone: 302-778-2500
Fax: 302-778-2600

www.ratnerprestia.com

☐ Suite 265
Commerce Corporate Center
5100 Tilghman Street
Allentown, PA 18104
Phone: 610-530-8100
Fax: 610-530-8200

FACSIMILE COVER SHEETDATE: January 22, 2004OUR REF.: MAT-7886US

TIME: _____

YOUR REF.: 09/463,565TO: **CENTRALIZED FAX**COMPANY: **United States Patent and Trademark Office**FROM: **Lawrence E. Ashery**FAX TELEPHONE: **(703) 872-9306**

OFFICE TELEPHONE: _____

TITLE OF DOCUMENT: **Request for Issuance Of New Office Action**Total Number of Pages: 4 (including this form)

COMMENTS

CONFIDENTIAL AND PRIVILEGED ATTORNEY/CLIENT INFORMATION

This facsimile transmission (and/or documents accompanying it) may contain attorney/client privileged communications and confidential business information that is intended for use only by the individual or company to whom it is addressed. Disclosure, interception, copying or any other use of this transmission by anyone other than any intended recipient is prohibited. If you receive this transmission by mistake, please notify the sender.

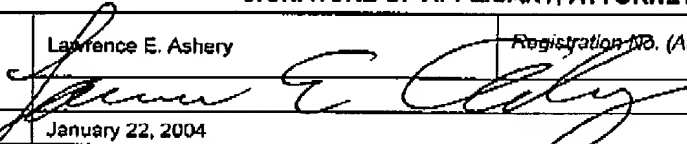
Please notify us immediately if you have not received the number of pages indicated above.

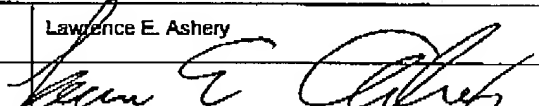
PTO/SB/21 (08-03) (AW 10/2003)
 Approved for use through 7/31/2008. OMB 0651-0031
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/463,565
	Filing Date	April 21, 2001
	First Named Inventor	Tatsuya Hashimoto, et al
	Art Unit	1748
	Examiner Name	Gentle E. Winter
Total Number of Pages in This Submission 3	Attorney Docket No.	MAT-7686US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
Remarks:		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT			
Firm or Individual	Lawrence E. Ashery	Registration No. (Attorney/Agent)	34,515
Signature			
Date	January 22, 2004		

CERTIFICATE OF TRANSMISSION / MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:			
			January 22, 2004
Name (Print/Type)	Lawrence E. Ashery		
Signature			Date
		January 22, 2004	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Application No.: 09/463,565
Communication dated: January 22, 2004
Reply to Final Office Action of: January 7, 2004

MAT-7886US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

JAN 22 2004

OFFICIAL

Appl. No.: 09/463,565
Applicant: Tatsuya Hashimoto et al.
Filed: April 21, 2001
Title: BATTERY PLATE AND BATTERY
TC/A.U.: 1746
Examiner: G. E. Winter
Confirmation No.: 6486
Docket No.: MAT-7886US

REQUEST FOR ISSUANCE OF NEW OFFICE ACTION

Mail Stop After Final
Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants' representative acknowledges receipt of an Office Action dated January 7, 2004 regarding the above-identified Application. The Office Action, however, fails to consider a Preliminary Amendment filed with the United States Patent and Trademark Office on November 14, 2003. Applicants' representative understands that the Preliminary Amendment is now available for the Examiner's consideration. Accordingly, it is respectfully requested that:

- 1) The outstanding Official Action be rescinded;
- 2) The outstanding response due date be cancelled; and

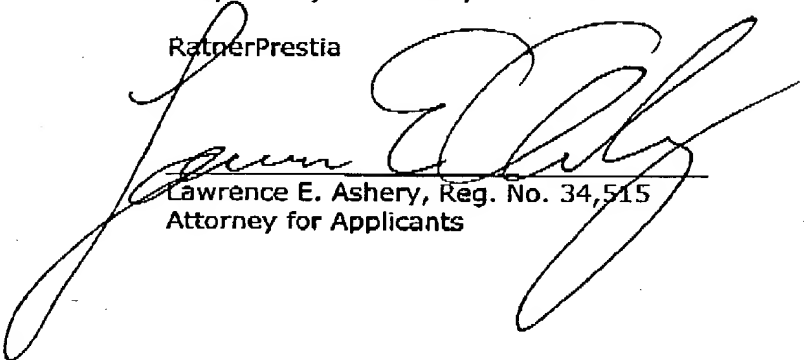
Application No.: 09/463,565
Communication dated: January 22, 2004
Reply to Final Office Action of: January 7, 2004

MAT-7886US

3) A new Office Action be mailed regarding the above-identified Application.

Respectfully submitted,

RatnerPrestia


Lawrence E. Ashery, Reg. No. 34,515
Attorney for Applicants

LEA:ds

Dated: January 22, 2004

P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (703) 872-9306 on the date shown below.

January 22, 2004

DS_I:\MAT\7886US\REQUEST FOR ISSUANCE.DOC